UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,494	04/09/2001	Maria Elena Delgado	39229.00003.UTL	8082

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EXAMINER
BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/829,494	DELGADO ET AL.
	Examiner	Art Unit
	James H. Blackwell	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-16 and 18-52* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1,3-16 and 18-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 January 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This Office Action is in response to amendment received 12/27/2004.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-16, and 18-52 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Brandon et al. (hereinafter Brandon, U.S. Patent No. 6,385,568) in

view of Gallup et al. (hereinafter, Gallup, U.S. Patent No. 6,658,627).

In regard to independent Claim 1 (and similarly independent Claims 11, 16, 26,

33, 39, and 46), Brandon teaches *receiving original text in an original language in the e-*

mail message in that the user receives an email and a pop-up menu appears informing

the user that the e-mail is translatable using the Reader (Col. 16, lines 36-38). Brandon

does not specifically teach an *email server*. However, it is notoriously well known that

emails are usually provided to email clients via an email server. Brandon does not

specifically teach *modifications/translations of web pages*. However, Gallup teaches

modifications to SGML formatted pages (Col. 7, lines 27-67; Col. 8, lines 1-31) using an

interactive editor (*browser*) to edit and display the original and translated texts. It is

notoriously well known in the art that HTML (web page language) "evolved" from SGML.

Thus, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teachings of Brandon and Gallup as both inventions relate to

the translation of documents. Adding the teaching of <u>Gallup</u> provides the benefit of preparing and translating structured documents for translation.

<u>Brandon</u> fails to teach *providing one or more text modification options for · selection by a user*. However, <u>Gallup</u> teaches that one subgroup of the programs provides an interactive computerized Text Editor (CTE) 140, which enables authors to create their monolingual text within the lexical and grammatical constraints of a domain-bound subset of a natural language; the subset designated Constrained Source Language (CSL). Additionally, the TE 140 enables authors to further prepare the text for translation by guiding them through the process of text disambiguation, which renders the text translatable without pre-editing (Col. 4, lines 40-49). Thus, all the text modifications are taken care of during the authoring process by the author. One would presume that one or more of the programming steps in this process would present author selectable options. The process is also described as being interactive, which would have made it obvious to one of ordinary skill in the art at the time of invention to combine the teachings of <u>Brandon</u> and <u>Gallup</u> as both inventions relate to the translation of text. Adding the teaching of <u>Gallup</u> provides the benefit of real-time interactive authoring producing output that is easily translatable.

<u>Brandon</u> continues by teaching *translating the original text into translated text in a translated language* in that the Reader e-mail add-on module has detected that the incoming e-mail message has a CCML component (Col. 16, lines 38-39). If the user selects to use a language reader, the user is asked in which regional language version

they would like to see the translation. The CCML component is moved to the input

buffer of the Reader and *automatically translated* in Steps 5-10 (Col. 16, lines 45-49).

Brandon also teaches *displaying one or both of the original text and translated*

text in the e-mail message in that the resulting translation is shown on the screen as if it

was the original message. Once read, the user is asked if they want to save the e-mail

message as: Translation only or Translation and Original Message. In either case, the

CCML component is always saved so that the message can be translated again in

another language or at another time in the same language (Col. 16, lines 51-58).

In regard to dependent Claim 3 (and similarly dependent Claims 12, 18, 27, 34,

40, and 47), Brandon fails to explicitly teach *the one or more pre-translation text*

modification options comprise one or more options from the group comprising spell

check, special language characteristics, direction of translation, authorship number,

formal or informal addressing and use of proper nouns. However, Gallup teaches

vocabulary checking, spell checking, grammar checking, and disambiguation performed

to process the original text to the translatable text (Fig. 6). It would have been obvious

to one of ordinary skill in the art at the time of invention to combine the teachings of

Brandon and Gallup as both inventions relate to document translation. Adding the

teaching of Gallup provides steps that allow one to easily perform a translation.

In regard to dependent Claim 4 (and similarly dependent Claims 10, and 19),

Brandon fails to explicitly teach *the step of receiving original text further comprises the*

step of modifying the original text using the one or more pre-translation text modification options. However, <u>Gallup</u> teaches vocabulary checking, spell checking, grammar checking, and disambiguation performed to process the original text to the translatable text (Fig. 6). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of <u>Brandon</u> and <u>Gallup</u> as both inventions relate to document translation. Adding the teaching of <u>Gallup</u> provides steps that allow one to easily perform a translation.

In regard to dependent Claim 5 (and similarly dependent Claims 20 and 32), <u>Brandon</u> fails to explicitly teach *the step of translating the original text further comprises the step of modifying the original text or the translated text.* However, <u>Gallup</u> teaches vocabulary checking, spell checking, grammar checking, and disambiguation performed to process the original text to the translatable text (Fig. 6). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of <u>Brandon</u> and <u>Gallup</u> as both inventions relate to document translation. Adding the teaching of <u>Gallup</u> provides steps that allow one to easily perform a translation.

In regard to dependent Claim 6 (and similarly dependent Claim 21), <u>Brandon</u> teaches *re-translating the original text after modifying the original text or the translated text* in that the unilingual meaning editor (10) is supplemented with a memory (28) for storing meaning code data created from a previous revision of the original text for the purposes of generating the meaning code data for use with an automatic translation

generator for a language or group of languages (e.g. languages `Y`) different from the

language or group of languages corresponding to the language database (25) (e.g.

languages `X`). A correspondence database (27) between the two different destination

languages is thus also provided and the meaning code data (28) for the other language

along with the correspondence table data (27) is provided to parser 15 in order to

provide on display (20) the input text (12) already parsed and with meaning defined,

inasmuch as there are common similarities between the two destination languages (e.g.

between `X` and `Y`) (Col. 7, lines 14-28).

In regard to dependent Claims 7-8 (and similarly dependent Claims 13-14, 22-23,

28-29, 35-36, 41-42, and 48-49), Brandon does not specifically teach that *the original

language is English and the translated language is Spanish* or that *the original language

is Spanish and the translated language is English*. However, Brandon does teach that

the user is asked which regional language version they would like to see their

translations. For the English language the choices would be: UK English, US English,

Canadian English, Australian English. Similarly for French, the Reader offers: Paris

French, Quebec French, Belgian French, and Swiss French. The user can always

change this regional language setting through a pop-up menu at any time (Col. 13, lines

40-56). It would have been obvious to one of ordinary skill in the art at the time of

invention to translate between any two languages provided that the necessary files for

each language were present, providing the benefit of global communication.

In regard to dependent Claim 9 (and similarly dependent Claims 15, 24, 30, 37, 43, and 50) Brandon does not explicitly teach *sending the e-mail message (or web page) to a recipient.* However, it would have been obvious to one of ordinary skill in the art at the time of invention to send the constructed and translated email message (web page) to the recipient as a logical conclusion of the process of constructing and translating the email message (web page), providing the benefit of seamlessly communicating with people who read and understand a different primary language.

In regard to dependent Claim 25 (and similarly dependent Claim 31), Brandon teaches *the web page is in HTML or XML format* in the case of a HTML text for a web browser, the input data format may include specifications as to text block position and dimensions in order that such information may be passed on to the meaning code data. As a consequence, the automatic translation generator 11 may have a module integrated with the interpreter 30 for the purposes of automatically generating an HTML output file which would resemble in layout and font style an original HTML file in the original language. In the preferred embodiment, the X language database 35 and the interpreter 30 may comprise the heart of a plug-in module to be integrated with a web browser. In this case, the meaning code data 26 would be included in the downloaded file to be viewed using a web browser (Col. 8, lines 22-36).

In regard to dependent Claim 38 (and similarly dependent Claims 45, and 52), Brandon does not specifically teach that the *text translation program comprises a*

translation data link library. However, <u>Brandon</u> does teach that for every input or source

language supported by the preferred embodiment, there is a unique Language Editor

product. These may be sold over the Internet using electronic commerce transactions

based on credit card processing. The Editor can be activated as an add-on to

Microsoft's Word, Internet Explorer, Outlook, Qualcast's Eudora, Netscape

Communicator and Corel's WordPerfect software. In any of these settings, the Editor is

activated from a windows pull-down menu (Col. 13, lines 9-17). It would have been

obvious to one of ordinary skill in the art at the time of invention to assume that a likely

mechanism to encompass one or more parts of the Language Editor, given the taught

applications would have been to use DDL's providing the benefit of avoiding duplication

of effort and storage space.

In regard to dependent Claim 44, Claim 44 recites the method steps of

translating text in an email message as claimed in Claim 1, and is rejected along the

same rationale.

In regard to dependent Claim 51, Claim 51 recites most of the method steps of

translating text in an email message as claimed in Claim 39, and is rejected along the

same rationale. In addition, <u>Brandon</u> does not explicitly teach a *second computer*

coupled to the recipient's mailbox. However, it would have been obvious to one of

ordinary skill in the art at the time of invention to use a second (or any other number)

computer since one could have been accessing their email from another email (or web

browser) client, providing the benefit of secondary access to one's email.

Response to Arguments

Applicant's arguments with respect to claims 1, 3-16, and 18-52 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James H. Blackwell whose telephone number is 571-

272-4089. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell
05/11/05

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER